



BAY-800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BAYCHAR

Serial No. 10/757,454

Filed: January 15, 2004

For: SOFTBOOTS AND WATERPROOF/BREATHABLE MOISTURE TRANSFER
COMPOSITE AND LINER FOR IN-LINE SKATES, ICE-SKATES,
HOCKEY SKATES, SNOWBOARD BOOTS, ALPINE BOOTS, HIKING
BOOTS AND THE LIKE

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Commissioner for Patents
Mail Stop DD
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, Applicants inform the Examiner of the documents cited during prosecution of the parent application, Serial No. 08/887,847.

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a

marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

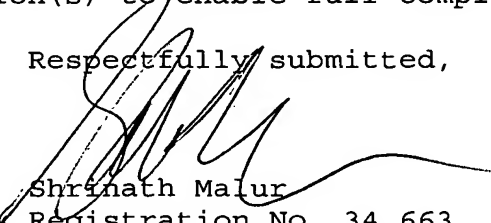
3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. No copies of the documents are being submitted as they have been previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120.

4. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

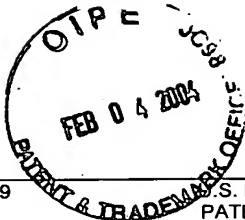
5. No explanation of relevancy is being provided for the documents listed on the PTO-1449 Form because each is either in the English language or discussed in the present Specification.

6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,


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Registration No. 34,663
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: February 4, 2004



FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. BAY-800	SERIAL NO. 10/757,454
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT BAYCHAR	
		FILING DATE January 15, 2004	GROUP

U.S. PATENT DOCUMENTS

* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA 5,075,343	12/24/91	Blount			
	AB 5,637,389	06/10/97	Colvin et al			
	AC 5,763,335	06/09/98	Hermann			
	AD 6,004,662	12/21/99	Buckley			
	AE 4,599,810	07/15/86	Sacre			
	AF 5,677,048	10/14/97	Pushaw			
	AG 5,330,208	07/19/94	Charron et al			
	AH 5,342,070	08/30/94	Miller et al			
	AI 5,452,907	09/26/95	Meibock et al			
	AJ 4,909,523	03/20/90	Olson			
	AK 5,380,020	01/10/95	Arney et al			

FOREIGN PATENT DOCUMENTS

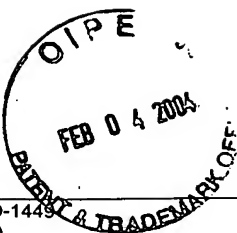
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	Olympia Sports Catalog, Olympia Performance Gloves, 1993, pp. 2-8.
	AS	MOTOPOST - 1991 MOTOPOST U.S.A. Apparel and Accessory Catalog, 1991.
	AT	KAMIK Catalog, 1997.

EXAMINER	DATE CONSIDERED
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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U.S. PATENT DOCUMENTS

* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
AA	5,398,948	03/21/95	Mathis			
AB	5,456,393	10/10/95	Mathis et al			
AC	5,503,413	04/02/96	Belogour			
AD	5,544,908	08/13/96	Fezio			
AE	5,253,434	10/19/93	Curley, Jr. et al			
AF	5,216,825	06/08/93	Brum			
AG	4,910,886	03/27/90	Sullivan et al			
AH	4,674,204	06/23/87	Sullivan et al			
AI	4,216,177	08/05/80	Otto			
AJ	5,682,613	11/04/97	Dinatale			
AK	4,662,006	05/05/87	Ross, Jr.			

FOREIGN PATENT DOCUMENTS

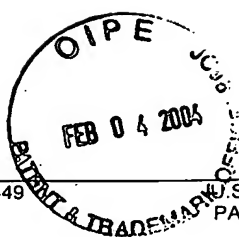
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AP						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AR	LaCrosse Catalog, 1997.
AS	Frisby Technologies Test Report - "Insulated Boot Lines Containing Microencapsulated Phase Change Materials", December 12, 1995.
AT	Frisby Technologies Test Report - "Cold Weather Boot Liners Containing COMFORTEMP Foam", September 24, 1996.

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* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA 4,529,641	07/16/85	Holtropet			
	AB 3,779,855	12/18/73	Fonzi et al			
	AC 3,607,593	09/21/71	Semenzato			
	AD 5,378,529	01/03/95	Bourdeau			
	AE 5,043,209	08/1991	Boisse et al			
	AF 5,021,280	06/1991	Farnworth et al			
	AG 4,823,407	04/1989	Phillips Jr. et al			
	AH 4,805,319	02/1989	Tonkel			
	AI 4,729,179	03/1988	Quist Jr.			
	AJ 4,656,760	04/1987	Tonkel et al			
	AK 4,524,529	06/1985	Schaefer			

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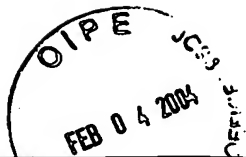
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	"Analytical Modeling of A MicroPCM-Enhanced Diver Dry Suit", U.S. Naval Academy, Technical Report EW-20-96, August 1996.
	AS	Soccer Technology Catalog, PUMA, 1992.
	AT	OUTLAST Style #1750 (Alpine 1), Product Specification, 1996.

EXAMINER	DATE CONSIDERED
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FORM PTO-1009 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. BAY-800	SERIAL NO. 10/757,454
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U.S. PATENT DOCUMENTS

* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA 4,454,191	06/1984	Blucher et al			
	AB 3,839,138	10/1974	Kyle et al			
	AC 3,616,170	10/1971	Closson Jr.			
	AD 5,932,299	08/1999	Katoot			
	AE 5,787,502	08/1998	Middleton			
	AF 5,785,909	07/1998	Chang et al			
	AG 5,775,006	07/1998	Breuner			
	AH 5,727,336	03/1998	Ogden			
	AI 5,439,733	08/1995	Paire			
	AJ 5,365,677	11/1994	Dalhgren			
	AK 5,171,033	12/1992	Olson et al			

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	AP						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	OUTLAST Style #4330 (Alpine 2), Product Specification, 1996.
	AS	OUTLAST Alpine TRF3, Product Information Sheet, 1996.
	AT	Frisby Technology Documents, No. F001006-F001009, June 1996.

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TYPE
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 PATENT AND TRADEMARK OFFICE

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	AA	5,134,017	07/1992	Baldwin et al		
	AB	5,098,778	03/1992	Minnick		
	AC	5,073,298	12/1991	Gentle et al		
	AD					
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	AJ					
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